IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8183 of 1991

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KALAVATIBEN FULCHAND VAKHARIA & 2 - Petitioner(s)

Versus

STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :

MR RR MARSHALL for Petitioner(s) : 1 - 3.
MR PRASHANT G DESAI for Respondent(s) : 2.Mr. Dipen Desai, AGP for respondent No.1.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 13/10/2005

ORAL JUDGMENT

In this petition under Article 226 of the Constitution of India, the petitioner s have prayed for an appropriate writ, direction or order quashing and setting aside the decision taken by the respondent corporation in its monthly ordinary meeting dated 29.9.1991 to acquire the petitioner's

land bearing revenue survey No. 79/B/C (Paiki)Final Plot No. 13-A of Village Piplod, District-Surat for the purpose of houses for economically backward class people. The petitioner has relied upon Annexure 'C' at Page 14 in support of his above submission and treat the same as decision. It is required to be noted that so far as Annexure 'C' at page No. 14 hereto is concerned, it is not a resolution but it is only an agenda issued by the Surat Nagarpalika for the purpose of convening Monthly General Meeting on 29.9.1991 in which certain items were considered. The petitioner has not produced any resolution and/or decision which the petitioner wants to quash and set aside. Under the circumstances, the present petition is required to be dismissed and is accordingly dismissed. Rule is discharged. Ad-interim relief granted stands vacated forthwith.

[M.R. Shah, J.]

R.M.R.